

### AMENDMENTS

Claims 1-7 are pending.

Claims 1-6 have been amended.

Claim 8 has been added.

Support for the amendments is found in the claims and specification, as originally filed. Specifically, support for claim 1 can be found in Example 1, Table 1. Support for claim 7 can be found Table 1 at page 16 of the specification and claim 3. Support for claims 2-6 can be found in the original claims 2-6. No new matter is believed to have been added.

### REMARKS/ARGUMENTS

Applicants wish to thank the Examiner and her Supervisor for the meeting on March 6, 2008. The subject of the meeting included all rejections in view of the proposed amendments. The Applicants' representative explained that Sakurai et al. describe a ratio 100/1 – 4/1 while the claimed ratio is 1/3.5-4/1, and that combining of Sakurai et al. and Briggs et al. is improper because Briggs et al. explicitly exclude anionic surfactants of Sakurai et al.

The claimed detergent composition comprises (A) an anionic surfactant and (B) trimethylglycine, wherein the components (A) and (B) are added at a weight ratio (A)/(B) = 1/3.5 or greater but less than 2.4/1 and the pH of the original composition or the pH of the composition diluted with purified water to a concentration of use is adjusted to 2 or greater but less than 6.5 (claim 1). In addition, the claimed composition comprises the anionic surfactant (A) and the trimethylglycine (B) in the amounts from 0.1 (or 5) to 40 wt.% and from 0.1 to 40 wt.%, respectively (see claims 3 and 8).

The specification discloses that the claimed composition possesses excellent stability, moisturizes skin, gives neither a taut feeling nor dry feeling, enables smooth finger-combing and does not give rough feeling to the hair after shampooing (page 2, last paragraph).

Claims 1-6 are rejected under 35 U.S.C. 103(a) over Sakurai et al., JP 11-180855 and Briggs et al., US 5,858,340. The rejection is traversed because the combination of references does not describe or suggest

(1) a detergent composition comprising (A) an anionic surfactant and (B) trimethylglycine, wherein the components (A) and (B) are added at a weight ratio (A)/(B) = 1/3.5 or greater but less than 2.4/1;

(2) a detergent composition comprising the anionic surfactant (A) and the trimethylglycine (B) in amounts of from 5 to 40 wt.% and from 0.1 to 40 wt.%, respectively; and

(3) combining the disclosures of Sakurai et al. and Briggs et al. is technically improper.

Table 1 on page 16 of the present specification shows that when the ratio is outside of the claimed range (*see, e.g.*, Comparative Example 5 having the ratio of 5/1) a composition has inferior properties (*see* page 9, second full paragraph). Also, the claimed amount of anionic surfactant (A) provides a rich lather, cool and fresh feeling after washing (page 9, lines 1-2).

Sakurai et al. disclose the ratio of  $A/B = 100/1 - 4/1$  (*see* [0033] of the automated translation). Sakurai et al. disclose that when the ratio of  $A/B$  is less than 4/1 (*e.g.*, 3.5/1 in Table 1), the agent would thicken remarkably at low temperature and stability would worsen (*see* [0033] of the automated translation). Thus, Sakurai et al. do not describe the claimed

A/B ratio and, moreover, teach away from the claimed invention because Sakurai et al. explicitly state that changing the ratio to less than 4/1 is undesirable.

Briggs et al. describe a skin composition having improved moisturizing effectiveness comprising a polyhydric alcohol humectant, polyglycerylmethacrylate lubricant, hydrophilic gelling agent, and polyethyleneglycol glyceryl fatty ester surfactant (col. 2, lines 10-29). The Briggs et al. composition does not comprise an anionic surfactant and trimethylglycine.

The combination of Sakurai et al. and Briggs et al. is improper because Briggs et al. explicitly exclude anionic surfactants of Sakurai et al. (col. 5, lines 26-35) by requiring the amount of anionic surfactants to be less than 1 % (col. 5, lines 26-35), while in Sakurai et al. require 1-50 % wt. of anionic surfactants in the composition (*see* [0031] of the automated translation). Therefore, the combination of Sakurai et al. and Briggs et al. is technically improper because the references allow for the mutually exclusive amounts of anionic surfactants. Moreover, present claim 7 limits the content of the anionic surfactant (A) to 5-40 %wt., while Briggs et al. expressly require that cosmetic compositions comprise not more than 1 %wt. of anionic surfactants (col. 5, lines 25-35).

Lastly, contrary to the Examiner's assertion, neither Briggs et al. nor Sakurai et al. describe that the pH 4-9 ensures the good lathering and softness of the skin (*see* the Official Action, page 2, last line). Briggs et al. only disclose that the pH may be 4-9 and may be controlled where necessary (without describing the effect of the pH or reasons why the pH should be controlled) (col. 7, lines 30-33), while Sakurai et al. is silent about the pH. The Briggs et al.'s moisturizer does not comprise trimethylglycine (B). The pH of the claimed composition is adjusted to 2-6.5 not only because the stable condition of skin depends on the range of the pH, but also because the structure of trimethylglycine (B) changes depending on the pH. The isoelectric point of trimethylglycine (B) is about 6 to 6.5. When the pH of the composition is adjusted to 2 or greater but less than 6.5, trimethylglycine has a positive

charge. On the other hand, the skin is acidic. Therefore, when trimethylglycine has a positive charge, it is expected that the composition has a tendency to be absorbed on the skin and to remain on the skin in terms of solubility of trimethylglycine. In the claimed composition, the detergent composition adjusted to 2 or greater but less than 6.5 can moisturize the skin while giving neither a taut feeling nor dry feeling after cleaning.

Thus, the combination of Sakurai et al. and Briggs et al. does not make the claimed invention obvious. Applicants request that the rejection be withdrawn.

A Notice of Allowance for all pending claims is requested.

Respectfully submitted,

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